

United States District Court

District of Arizona
Office of the Clerk

Debra D. Lucas

District Court Executive/Clerk of Court
Sandra Day O'Connor U.S.
Courthouse, Suite 130
401 W. Washington Street, SPC 1
Phoenix, Arizona 85003-2118



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Phoenix, Arizona 85003-2118

NOTICE TO PRO-SE NON-PRISONER PARTIES REPRESENTING THEMSELVES

The United States District Court would like to encourage pro se parties to take advantage of receiving immediate notice of public documents filed in their cases. Notices of electronic filing (NEF) and attached documents for attorney, pro se and court entries would be transmitted electronically to a non-prisoner pro se party who selects this option. Note: The pro se party would continue to file their documents with the Clerk's Office in paper form.

Parties who are entitled to documents as part of their legal proceedings receive **one (1)** free copy by email. You may save or print this document the first time you view it.

Parties who wish to receive filed documents electronically must have the following:

- Personal computer running a standard platform such as Windows or Mac OSX
- Internet access (high speed is recommended)
- A Web browser (Microsoft Internet Explorer 7.0 or 6.0 or Mozilla Firefox 2 or 1.5)
- Adobe Acrobat Reader is needed for viewing e-filed documents

To request notices of filing electronically, a completed Request by Non-Prisoner Pro Se Party for Electronic Noticing form must be submitted to the Clerk's Office.

IMPORTANT:

Messages sent to Yahoo or AOL accounts are frequently found in the spam folder until the court is added to your address book.

You will receive one "free" look of the document. This free look must be viewed within 14 days. You must only **single-click** the hyperlink, double-clicking will lose the free look. Viewing the document via a smartphone constitutes a free look and smartphone browsers may not be fully compatible with ECF. You will have to obtain a copy through PACER and may be charged for the copy. Please visit <http://www.pacer.gov> for billing details.

As with your mailing address, you must file a notice if your email address changes to ensure your noticing is not interrupted. A docket entry detailing undeliverable emails will be entered to the case.

**REQUEST BY NON-PRISONER PRO SE PARTY
FOR ELECTRONIC NOTICING**

Case Number _____

This form is to be used when requesting notice of filings be received electronically. The following information is required:

Personal Information

First Name _____ Middle Name _____

Last Name _____ Generation _____

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

Type of personal computer and related software/equipment required:

- Personal computer running a standard platform such as Windows or Mac OSX
- Internet access (high speed is recommended)
- A Web browser (Microsoft Internet Explorer 7.0 or 6.0 or Mozilla Firefox 2 or 1.5)
- Adobe Acrobat Reader is needed for viewing e-filed documents

E-mail address designated for noticing:

Note: You must promptly notify the Clerk's Office, in writing, if there is a change in your designated e-mail address.

E-mail type:

☐ HTML – Recommended for most e-mail clients

☐ Plain Text – Recommended for e-mail accounts unable to process HTML e-mail

By submitting this request form, the undersigned consents to electronic service and waives the right to personal service and service by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2), except with regard to service of a summons and complaint.

When a filing is entered on the case docket, a party who is registered for electronic noticing will receive a Notice of Electronic Filing in his/her designated e-mail account. The Notice of Electronic Filing will allow one free look at the document, and any attached .pdf may be printed or saved. After the free look viewing, a user must have a PACER account to query documents in the case. To register for PACER, a user must complete the on-line form or submit a registration form available on the PACER website <http://www.pacer.gov>.

Date

Participant Signature

Federal Rule 5.2 Civil Privacy Protection For Filings Made with the Court

(a) **Redacted Filings.** Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

- (1) the last four digits of the social-security number and taxpayer-identification number;
- (2) the year of the individual's birth;
- (3) the minor's initials; and
- (4) the last four digits of the financial-account number.

(b) **Exemptions from the Redaction Requirement.** The redaction requirement does not apply to the following:

- (1) a financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;
- (2) the record of an administrative or agency proceeding;
- (3) the official record of a state-court proceeding;
- (4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;
- (5) a filing covered by Rule 5.2(c) or (d); and
- (6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255.

(c) **Limitations on Remote Access to Electronic Files; Social-Security Appeals and Immigration Cases.** Unless the court orders otherwise, in an action for benefits under the Social Security Act, and in an action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention, access to an electronic file is authorized as follows:

- (1) the parties and their attorneys may have remote electronic access to any part of the case file, including the administrative record;
- (2) any other person may have electronic access to the full record at the courthouse, but may have remote electronic access only to:
 - (A) the docket maintained by the court; and
 - (B) an opinion, order, judgment, or other disposition of the court, but not any other part of the case file or the administrative record.

(d) Filings Made Under Seal. The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

(e) Protective Orders. For good cause, the court may by order in a case:

- (1) require redaction of additional information; or
- (2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) Option for Additional Unredacted Filing Under Seal.

A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) Option for Filing a Reference List. A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(h) Waiver of Protection of Identifiers. A person waives the protection of Rule 5.2(a) as to the person's own information by filing it without redaction and not under seal.

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF ARIZONA**

Notice to Self-Represented Litigant

Court records indicate you have elected to pursue or defend an action in this Court without the assistance of an attorney. Although the Clerk's Office is here to assist you with your filings, it is important to note that, by statute, **Clerk's Office personnel are prohibited from giving legal advice.**¹

Clerk's Office Personnel are not allowed to:

- Discuss the merits of your case or any specific claim or defense;
- Discuss the application of statutes, rules or case law to individual claims or defenses;
- Express an opinion on the validity of a claim or defense or the proper forum or jurisdiction in which you should bring your claims;
- Discuss the "best" procedure to accomplish a particular objective;
- Transmit any information to a Judicial Officer except as provided in the applicable statutes and local rules;
- Interpret the meaning or effect of any order, judgment or rules of the Court.

Clerk's Office personnel are allowed to:

- Give you basic case information contained within the public case file (for example, public documents filed and the dates they were filed, public scheduling notices, etc.);
- Direct you to the various Local Rules, General Orders or other publicly available statements of Court operations without giving you an interpretation of their meaning or effect;
- Direct you to Court-approved forms and guidance materials (for example, Self-Represented Litigant Manual, Local Rules, General Orders, etc.) Court personnel can also provide guidance in filling out the form but cannot tell you what information you should provide on the form;
- Provide you with information regarding general deadlines and due dates without specific reference to your case. You are responsible for deadlines and due dates applicable to your case.

¹ Section 955 of Title 28 of the United States Code specifically precludes the Clerk and his deputies from practicing law in any Court of the United States.

IMPORTANT REMINDERS

- The *Handbook for Self-Represented Litigants*, available on the Court's website, is a reference for people dealing with civil lawsuits in federal court without an attorney. The *Handbook* is informational only and offers no legal advice. The Court's website also contains helpful forms, FAQs, and other resources available under the "For Those Proceeding Without an Attorney" tab at www.azd.uscourts.gov.
- When you file documents with the Court in paper form, you must also serve a copy on every party in the action. See Rule 5, *Federal Rules of Civil Procedure*.
- You must immediately notify the Court of any change of address. *Local Rule of Civil Procedure 83.3(d)*.
- Discovery requests are meant to be served on parties -- do not file your discovery requests with the Court. See Rule 5(d), *Federal Rules of Civil Procedure*. Instead, pursuant to *Local Rule of Civil Procedure 5.2*, file only a Notice of Service with the Court.
- If you DO NOT respond to a motion within the requirements of the Local Rules, the Court may assume consent to the denial or granting of the motion and may dispose of the motion summarily under *Local Rule of Civil Procedure 7.2(i)*.
- Unless specifically excepted by the Court, a Motion for Summary Judgment must be supported by a Statement of Material Facts (per LRCiv 56.1(a)). If your opponent files a Statement of Material Facts, you must respond to this Statement according to LRCiv 56.1(b) or (c) supported with a record citation per LRCiv 56.1(e). If you do not so respond, the Court may deem that you have admitted your opponent's Statement of Material Facts, which could result in the Court viewing the facts favorably to the opposing party.
- Personal Privacy Protection: It is the obligation of parties to redact, or file under seal, documents which include social security numbers, names of minor children, dates of birth, and financial account numbers. See Rule 5.2, *Federal Rules of Civil Procedure*.

IMPORTANT REFERENCES

It is strongly recommended that you secure and refer to the information listed below, all of which are available on the Court's website at <http://www.azd.uscourts.gov/proceeding-without-attorney>. If you need assistance accessing this information, please contact the Clerk of Court.

- Copy of the Local Rules of Practice for the District of Arizona
- Copy of the *Handbook for Self-Represented Litigants*
- Frequently Asked Questions
- Forms for Pro Se Litigants



Federal Court Advice Only Clinic Free Civil Legal Help

Wish you could talk to an attorney about your federal civil case for free?

The Volunteer Lawyers Program and the United States District Court for the District of Arizona in Phoenix offer to the public a Free Advice Clinic.

Pro Se (unrepresented) litigants can get an appointment for 30 minutes to speak one-on-one with a volunteer attorney about their federal case. See below for information about how to schedule an appointment online.

In order to participate in the Federal Court Advice Only Clinic you must be:

- 1) representing yourself (do not have an attorney); and**
- 2) involved in or considering filing a CIVIL federal case (a case arising under federal law or a case in which the parties reside in different states and the amount in controversy is \$75,000 or more). The clinic cannot provide advice about criminal cases.**

When:

- **The Clinic is held by appointment only, by phone, on the 2nd and 4th Thursdays each month.**
- **The clinic does not arrange attorneys to represent you in Court.**

Eligibility:

- **The clinic is open to anyone who does NOT have an attorney and has a current civil federal court issue, with no income limits.**
- **Due to the number of people needing assistance, the Clinic will not be able to offer more than 3 appointments per year**

To schedule an appointment, visit the Court's website at:

www.azd.uscourts.gov

Click on the link titled "Information for those filing without an attorney" and then the link to the Federal Court Advice Only Clinic - Phoenix.